

# **Exhibit E**

Confidential - Subject to Stipulation and Order of Confidentiality

1 - - -  
2 :SUPERIOR COURT OF  
:NEW JERSEY  
3 IN RE: :LAW DIVISION -  
PELVIC MESH/GYNECARE :ATLANTIC COUNTY  
4 LITIGATION :  
:MASTER CASE 6341-10  
5 :  
:CASE NO. 291 CT

6  
CONFIDENTIAL-SUBJECT TO STIPULATION AND ORDER OF  
7 CONFIDENTIALITY

8 - - -  
9 May 18, 2012

10 - - -  
11 Transcript of the deposition of  
12 SEAN M. O'BRYAN, called for Videotaped  
13 Examination in the above-captioned matter, said  
14 deposition taken pursuant to Superior Court Rules  
15 of Practice and Procedure by and before Maryellen  
16 Coughlin, a Certified Realtime Reporter,  
17 Registered Professional Reporter, and Notary  
18 Public for the Commonwealth of Massachusetts, at  
19 the offices of Campbell Campbell Edwards &  
20 Conroy, P.C., One Constitution Center, 3rd Floor,  
21 Boston, Massachusetts, commencing at 10:05 a.m.

22 - - -  
GOLKOW TECHNOLOGIES, INC.  
23 877.370.3377 ph| 917.951.5672 fax  
deps@golkow.com

24  
25

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1 warnings that a patient could be faced with that  
2 are important for the patient.

3 Q. And to the extent you had input  
4 into the Prolift® IFU drafting process, you  
5 certainly wanted to make sure that any warnings  
6 of any significant potential risks would be  
7 explicitly communicated to the intended or  
8 foreseeable users of the Prolift®, correct?

9 MS. KABBASH: Objection.

10 A. Sure. I rely on the medical team  
11 to tell me what is significant and what is  
12 important to convey into the instructions for  
13 use, package insert.

14 Q. When you worked on that project, it  
15 was your understanding from an FDA regulatory  
16 perspective it would not be legitimate to not  
17 include warnings of potentially significant  
18 adverse events based on a decision that the  
19 surgeons would figure that out on their own?

20 MS. KABBASH: Objection.

21 A. No, that's correct.

22 Q. Would you turn to Page 22, please.  
23 It's Paragraph D, D.1.3. The question is asked,  
24 "Do the results of the design validation  
25 performed as a result of this change in materials